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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,256	11/23/2001	Masahiro Yamanaka	SIC-01-011	2486

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EXAMINER

SMITH, JULIE KNECHT

ART UNIT

PAPER NUMBER

3682

DATE MAILED: 01/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/002,256

Applicant(s)

YAMANAKA, MASAHIRO

Examiner

Julie K Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the O-ring (150A in fig. 4) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsui (JP 02221771).

Regarding claims 1-4, Matsui discloses a seal assembly (see fig. 5) comprising a support (30), an outer seal (33a) extending circumferentially around a radially outer surface (31) of the support, and an inner seal (33b) extending circumferentially around a radially inner surface (34) of the support.

Regarding claims 5-21, Masui discloses a seal assembly wherein the support (30) comprises a tubular member (31a) and an annular base member (31) wherein the inner seal is disposed at a radially inner edge of the base member (32b, see fig. 6). Matsui further discloses an inner ledge extending from a radially inner side of the base member wherein the inner ledge comprises an inner tubular member having a radially outwardly extending protuberance (31a) spaced apart from the base member. Matsui also discloses an outer ledge extending from a radially outer side of the base member wherein the outer ledge comprises an outer tubular member wherein the outer seal (33a) is disposed around an outer peripheral surface of the outer tubular member, wherein the outer tubular member and the inner tubular member extend from the same side of the base member.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 22-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (5,762,426) in view of Matsui.

Regarding claims 22-25 and 29-30, Lin discloses an adapter member (24) for a bicycle bottom bracket (21), a tubular adapter member (24) having an inner peripheral surface (see fig. 3), but lacks a seal assembly, as claimed. However, Matsui teaches a seal assembly (see fig. 5) comprising an annular base member (30), an outer seal (33a) extending circumferentially around

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a radially outer surface (31) of the base member and an inner seal (33b) extending circumferentially around a radially inner surface (34) of the base member. The seal assembly further comprises an inner ledge extending from a radially inner side of the base member wherein the inner ledge comprises an inner tubular member having a radially outwardly extending protuberance (31a) spaced apart from the base member. Matsui also teaches an outer ledge extending from a radially outer side of the base member wherein the outer ledge comprises an outer tubular member wherein the outer seal (33a) is disposed around an outer peripheral surface of the outer tubular member, wherein the outer tubular member and the inner tubular member extend from the same side of the base member.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the adaptor of Lin with the seal assembly of Matsui, to provide a seal assembly within the adapter member so as to further protect the adapter member from outside elements, such as water and dust, to prevent rusting and damage to the bicycle bracket.

Regarding claims 26-28, 31 and 34-36, Lin discloses a non-metallic annular bushing (27) disposed at the inner peripheral surface of the adapter member (see fig. 4), including a radially inwardly extending bushing protuberance (271,272) disposed at a central portion of the bushing.

Regarding claims 32-33, Lin discloses a bearing assembly (25, 26) comprising an inner race, an outer race and a plurality of ball bearings (251,261) disposed between the inner and outer bearing races.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5,980,116 to Chiang	6,164,157 to Chen
5,709,283 to Nief	5,330,220 to Nagano
6,139,192 to Chiang	6,095,691 to Chiang
5,909,931 to Tabe	6,120,049 to Gonzalez et al.
6,309,028 to Kanehisha et al.	5,328,196 to Ohma
5,209,581 to Nagano	4,606,658 to Hoffman et al.
6,276,234 to Harrington	5,597,169 to Bradbury
6,478,128 to Taylor	5,496,114 to Lin
5,971,415 to Lin	4,371,176 to Shimano
6,109,636 to Klein et al.	5,527,909 to Chi
5,118,205 to Hoffman	3,578,829 to Hata et al.
5,597,242 to Beeler	4,550,927 to Resele
DE 3531030 to Thun	

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie K Smith whose telephone number is 703-305-3948. The examiner can normally be reached on Monday-Friday, 8-5:30, (Every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Bucci can be reached on 703-308-3668. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

JKS

jks

January 22, 2003


DAVID A. BUCCINI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 300